

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 12/6/2012

Case Number 2:10-md-02187

Case Style: In Re: C. R. Bard, Inc. vs.

Type of hearing Status Conference

Before the honorable: 2513-Goodwin

Court Reporter Lisa Cook

Courtroom Deputy Robin Clark

Attorney(s) for the Plaintiff or Government Henry Garrard, Fred Thompson, Bryan Aylstock, Carl Frankovitch

Attorney(s) for the Defendant(s) Barbara Binis, Robert Adams and Christy Jones

Law Clerk Kate Fife

Probation Officer

Trial Time

Non-Trial Time

Pretrial conference (including settlement and telephone conferences).

Court Time

1:05 pm to 2:10 pm

Total Court Time: 1 Hours 5 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled start time 1:00 p.m.

Actual start time 1:05 p.m.

STATUS CONFERENCE

Chief Judge Goodwin and Magistrate Judge Stanley presiding

2:10-md-2187 In Re: C. R. Bard, Inc., Pelvic Repair Systems Products Liability Litigation

2:12-md-2325 In Re: American Medical Systems, Inc., Pelvic Repair System Product Liability Litigation

2:12-md-2326 In Re: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation

2:12-md-2327 In Re: Ethicon, Inc. Pelvic Repair Systems Products Liability Litigation

2:12-md-2387 In Re: Coloplast Corp. Pelvic Support Systems Products Liability Litigation

Counsel for parties present

Coordinating Co-lead counsel for Plaintiffs - Bryan Aylstock, Henry Garrard, Fred Thompson

Co-lead counsel for Boston Scientific MDL 2326 - Clayton Clark and Aimee Wagstaff

Co-lead counsel for American Medical Systems MDL 2325 - Amy Eskin and Fidelma Fitzpatrick

Co-lead counsel for Ethicon MDL 2327 - Renee Baggatt and Tom Cartmell

Co-Lead counsel for Coloplast MDL 2387 - Riley Burnett, Mark Mueller and Robert Salim

Plaintiffs executive committee: Bryan Aylstock, Henry Garrard, Fred Thompson, Tom Cartmell, Clayton Clark, Amy Eskin, Derek Potts and Aimee Wagstaff.

Plaintiffs Co-liaison counsel: Harry Bell, Paul Farrell and Carl Frankovitch

Defendants

Lead counsel for C. R. Bard, Inc., MDL 2187 - Deb Moeller and Richard North

Lead counsel for American Medical Systems MDL 2325 - Barbara Binis

Lead counsel for Boston Scientific MDL 2326 - Robert Adams and Jon Strongman

Lead counsel for Ethicon MDL 2327 - Christy Jones

Defendants Liaison counsel: Michael Bonasso, David Thomas and Michael Farrell. Mark Williams defendants liaison

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counsel in the Bard MDL.

Lead Counsel for Coloplast MDL 2387 - Lana K. Varney

Lead Counsel for Mentor - Dustin B. Rawlin

Additional counsel present

Phil Combs, Defts counsel

William F. Bottoms, Defts counsel

Erik W. Legg, Defts counsel

Tracy Weiss, AMS

Ben Anderson, Defts counsel

Bryan Pratt, Counsel for Boston Scientific Corp

Melissa Foster Bird, Counsel for Bard/Sofradim

Donna Brown Jacobs, Counsel for Ethicon/J&J

Elizabeth Taylor, Boston Scientific

Frederick Ferrard, Hernia mesh S & L

Regina Johnson, Pltfs

Elise Alpert, Pltfs

Mike Farrell, AMS

Tom Cartmell, Pltfs

Andrew Cross, Pltfs

PJ Cosgrove, Proxy

Brad Stanley, Pltfs

Eric Hermanson, Proxy

Anthony E. Abeln - TEI Bioscience

Allen Fry - Atrium Medical

Dan Hays - Pltfs

Alan S. Lazar - Pltfs

Jessica Dareneau - TEI Bioscience

Russell Buttan - Pltfs

Jennifer Hageman - Proxy

Jim McKowen - Pltfs

Janet Kwuon - AMS

David Kuttles - Pltfs

Agenda Items

General MDL Issues

Proposals for additional trial settings starting in September 2013 as to AMS, J&J/Ethicon and BSC

Dec 3, 2013 Bell Weather cases will begin (2 cases should be set for this date)

The second group of Bard cases will be moved

The court will try an AMS case first

Single product and single manufacturer cases are to be selected for trial.

Joint proposed scheduling orders are due within 3 weeks.

Pltf Fact Sheets - updates provided. Numerous deficiencies.

The notary requirement on the Pltf Profile Forms is waived.

Pltf Profile Form issues

Motion to Remand questions

Deposition Protocol

Stay from PTO #1 to remain in effect

Severance Orders

Amending Short form Complaints to add Coloplast Corp.

Agenda Issues for MDL 2387 (Coloplast Corp)

Update on status of Agreed Master Complaint and PPF

Update on Early Case Assessment Program

Agenda Issues for MDL 2325 (American Medical Systems, Inc.)

Update on ENDO/AMS Motion to Dismiss

Status of OUSA production

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Agenda Issues for MDL 2326 (Boston Scientific Corp)

Motion to Amend Master Long Form Complaint to add additional defendants

Agenda Issues for MDL 2327 (Ethicon, Inc.)

30(b)(6) deposition status update

Advanced subpoena

New Jersey state court update

Agenda Issues for MDL 2187 (C. R. Bard, Inc.)

Status of Group 1 Trials

Status of Group 2 Trials

Next Status Conference is set for January 10, 2013 @ 1:00 p.m.

Parties may submit proposed agenda items for the January 10, 2013 MDL status conference.

End time 2:10 p.m.